

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Custer School District
Accountability Review - Monitoring Report 2012-2013**

Team Members: Donna Huber, Team Leader; Chris Sargent, Rita Pettigrew, and Joan Ray Educational Specialists; and Dave Halverson, Transition Liaison; Melissa Flor, Special Education Programs

Dates of On Site Visit: November 27-28, 2012

Date of Report: December 14, 2012

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD24:05:22:03. Certified child. A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee.

ARSD24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- (5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including information provided by the parents, that may assist in determining:
 - (a) Whether the child is a child with a disability; and
 - (b) The content of the child's IEP, including information related to enabling the child:
- (7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and
- (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified.

ARSD24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum
- (2) A statement of measurable annual goals, including academic and functional goals, designed to:

- (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
- (b) Meet each of the student's other educational needs that result from the student's disability;

ARSD 24:05:14:14. Participation in assessments. All children with disabilities shall be included in all general state and district-wide assessment programs, including assessments described in the ESEA, with appropriate accommodations and alternate assessments if necessary and as indicated in their respective IEPs.

Corrective Action:

Prong 1: Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File # 4: This student was reported on child count under the category of (555). This student's evaluation results did not support the student's eligibility for special education. The IEP that was developed for this student did not address any skill based needs	The district needs to revisit the eligibility of this student. This student's name must be deleted from the 2012 Child Count Report until which time the district has revisited eligibility.	The district needs to submit the following: <ol style="list-style-type: none"> 1) PN of meeting 2) Eligibility document 3) Parental prior written notice
Date Data Submitted: Status:		
Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.		
Required Action: District will ensure only certified children in need of special education or special education and related services who has received a multidisciplinary evaluation have an individual education program formulated.		
Data To Be Submitted: Each teacher who submitted for Prong 1 will submit the following for 1 student, preferably a student eligible under the disability category of 555: <ol style="list-style-type: none"> 1. PN consent for evaluation 2. Evaluation Reports, including medical 3. Eligibility document 4. Prior Notice for meeting 5. IEP 6. Parental prior written notice 		

Target Date for Completion: October 3, 2013
Date Data Submitted: Status Report:

Prong 1: Correct each individual case of noncompliance
Timeline for Completion: 45 calendars day from the report date listed above.

Student:	Required Action:	Data To Be Submitted:
Student File # 15: This student was reported on child count under the category of (550). This student was evaluated for several disability categories and was determined eligible under 550, for which the student does meet eligibility. But in the school psychologist's report, there are elevated behavior scores and the school psychologist recommends the parent pursue a medical diagnosis. Therefore, at this point, the evaluation process is not yet comprehensively completed.	The district needs to do the following: <ol style="list-style-type: none"> 1. Obtain the medical diagnosis which the district recommended was needed to accomplish a comprehensive evaluation. 2. Revisit this student's eligibility, following all procedural safeguards. 3. Develop an IEP to meet all the needs of the student's disability. 	The district needs to submit the following: <ol style="list-style-type: none"> 1) Prior Notice Consent for evaluation 2) Prior Notice for meeting 3) Evaluation Reports, including medical 4) Eligibility document 5) IEP 6) Parental prior written notice

Date Data Submitted:
 Status:

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Required Action:
 District will ensure evaluations are sufficiently comprehensive to identify all of the child's special education and related service needs, whether or not commonly linked to the disability category in which the child has been classified.

Data To Be Submitted:
 Each teacher who submitted for Prong 1 will submit the following for 1 student, preferably a student eligible under the disability category of 555:
 1. PN consent for evaluation

2. Evaluation Reports, including medical
3. Eligibility document
4. Prior Notice for meeting
5. IEP
6. Parental prior written notice

Target Date for Completion: October 3, 2013

Date Data Submitted:

Status Report:

Prong 1: Correct each individual case of noncompliance

Timeline for Completion: 45 calendars day from the report date listed above.

Student:	Required Action:	Data To Be Submitted:
Student File # 5: This student's IEP did not adequately address several IEP content areas: <ol style="list-style-type: none"> a. How the student's disability affects the student's progress in the general curriculum in the Present Level of Academic Achievement and Performance Page and b. The justification of placement. 	District will need to amend the IEP to address these areas.	District will need to submit: <ol style="list-style-type: none"> 1. PN for the addendum meeting if the district decides to do the amendments in a meeting form 2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice
Date Data Submitted: Status:		

Prong 1: Correct each individual case of noncompliance

Timeline for Completion: 45 calendars day from the report date listed above.

Student:	Required Action:	Data To Be Submitted:
Student File #: 7 This student's IEP did not adequately address one IEP content area: <ol style="list-style-type: none"> a. How the student's disability affects the student's progress in the general 	District will need to amend the IEP to address these areas	District will need to submit: <ol style="list-style-type: none"> 1. PN for the addendum meeting if the district decides to do the amendments in a meeting form

curriculum in the Present Level of Academic Achievement and Performance Page		2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice
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Student:		
Student File #: 8 This student's IEP did not adequately address several IEP content areas: <ul style="list-style-type: none"> a. How the student's disability affects the student's progress in the general curriculum in the Present Level of Academic Achievement and Performance Page and b. The justification of placement. 	Required Action: District will need to amend the IEP to address these areas	Data To Be Submitted: District will need to submit: <ol style="list-style-type: none"> 1. PN for the addendum meeting if the district decides to do the amendments in a meeting form 2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice
Date Data Submitted: Status:		

<u>Prong 1:</u> Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #: 13 This student was evaluated for the disability categories of 525 and 555. The IEP team determined student to be eligible under the disability category of 525. But when developing the IEP, the IEP team failed to adequately address several IEP content areas: <ul style="list-style-type: none"> a. In the Special Consideration page of the IEP, "Does the student's behavior impede learning or the learning of others" and 	District will need to amend the IEP to address these areas	District will need to submit: <ol style="list-style-type: none"> 1. PN for the addendum meeting if the district decides to do the amendments in a meeting form 2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice

b. How the student's disability affects progress in the general curriculum" located in the Present Level of Academic achievement and Performance of the IEP.		
Date Data Submitted: Status:		

Prong 1: Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #: 1 This student's IEP did not adequately address several IEP content areas: <ol style="list-style-type: none"> The justification of placement, Description of services and The goals developed to meet this student's needs did not contain criteria. Therefore making it impossible to determine when the student's performance would be considered at a mastery level. 	District will need to amend the IEP to address these areas	District will need to submit: <ol style="list-style-type: none"> PN for the addendum meeting if the district decides to do the amendments in a meeting form A copy of the addendum to the IEP along with the IEP Parental Prior Written Notice
Date Data Submitted: Status:		

Prong 1: Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #: 2 This student's IEP did not adequately address several IEP content areas: <ol style="list-style-type: none"> How the student's disability affects the student's progress in the general 	District will need to amend the IEP to address these areas	District will need to submit: <ol style="list-style-type: none"> PN for the addendum meeting if the district decides to do the amendments in a meeting form

curriculum in the Present Level of Academic Achievement and Performance Page and b. The justification of placement.		2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice
Date Data Submitted: Status:		

Prong 1: Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #: 3 This student's IEP did not adequately address several IEP content areas: a. How the student's disability affects the student's progress in the general curriculum in the Present Level of Academic Achievement and Performance Page and b. Description of services	District will need to amend the IEP to address these areas	District will need to submit: 1. PN for the addendum meeting if the district decides to do the amendments in a meeting form 2. A copy of the addendum to the IEP along with the IEP 3. Parental Prior Written Notice
Date Data Submitted: Status:		

Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.
Required Action: District will ensure IEP teams adequately address all IEP content.
Data To Be Submitted: Each teacher who submitted for prong 1 will submit a copy of one IEP conducted after December 1, 2012.
Target Date for Completion: October 3, 2013

Date Data Submitted: Status Report:
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Prong 1: Correct each individual case of noncompliance Timeline for Completion: 45 calendars day from the report date listed above.		
Student:	Required Action:	Data To Be Submitted:
Student File #: 6, 8, 3 and 2 Through review of student files, data gathered by the team indicated accommodations/modifications listed in the IEP for Statewide Assessment were not consistently provided during the assessment administration.	The district cannot fix these files in the area of accommodations/modifications. <ol style="list-style-type: none"> 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. 3. Train IEP staff and testing coordinator in the procedures/process. 	Data To Be Submitted: The district will collect and submit to SEP the following data: <ol style="list-style-type: none"> 1. Written description of the district's review process to identify why the discrepancies are occurring. 2. Written description of the process the district will implement to correct the discrepancies. 3. Training documentation to include the date staff training occurred, name of individual who provided the training and sign-in sheet with the names of all participants/position titles, who attended the training. Timeline for Completion: March 15th, 2013
Date Data Submitted: Verification for Prong 2 is met by Prong 1. Status:		

State Performance Plan – Performance Indicators

Indicator 2 – Dropout Rate

Percent of youth with IEP's dropping out of high school.

State Target: 3.2%

District %: 4.1%

District Response: The district had two students drop out from a total of 47, yielding a 4.1% rate. Custer Schools have participated in the state dropout prevention project since the 2010-11 school year. The district will continue to participate in dropout prevention activities, targeting specific student who are at highest risk for dropout. The district is expanding its options for credit recovery, including on-line classes and work-study. The district has implemented a "Check and Connect" program for targeted, at-risk youth. Through the district's full time transition coordinator, the district will continue to expand transition services for students with disabilities who are at risk of dropping out.

Indicator 5: Placement of Children Age 6-21

A) Percent of children with IEPs inside the regular class 80% of the day.

State Target: 66% or higher

District %: 73.13%

District Response: Custer School's special education certified staff members are well versed on the benefits of inclusion, and have cultivated a positive working relationship with general education staff. Sufficient numbers of paraprofessional staff have been employed with daily supervision by certified staff to ensure that to the greatest extent possible, student needs are met in the general education setting. Custer Schools have been involved with RtI efforts for the past three years which supports meeting the needs of all students through specific targeted general education interventions.